

Representatives on Tuesday, the twentieth day of January, A. D. 1931, at 12 o'clock noon, and after organization the joint session will proceed in a body to the south entrance of the Capitol building, where all arrangements have been made and the oath of office will be administered to the Governor-elect and the Lieutenant Governor-elect, with Hon. C. M. Cureton, Chief Justice of the Supreme Court of Texas, administering the oath of office.

WOODUL,
HOLBROOK,
POAGE,

On the Part of the Senate.

BECK,
PETSCH,
SATTERWHITE,
HOLLAND,
HUBBARD,

On the Part of the House.

The Speaker of the House and Senator Carl C. Hardin, President Pro Tempore of the Senate, then announced that the two houses were in joint session for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect.

Hon. Edgar Witt, Lieutenant Governor-elect, then came forward and took the constitutional oath of office which was administered to him by Chief Justice C. M. Cureton, and he also affixed his signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Hon. Carl Hardin, President Pro Tempore of the Senate, presented Hon. Barry Miller to the joint session who in turn introduced Lieutenant Governor Edgar Witt.

Lieutenant Governor Edgar Witt then addressed the joint session and the assemblage.

Hon. Ross S. Sterling, Governor-elect, then came forward and took the constitutional oath of office which was administered to him by Chief Justice Cureton, and he affixed his signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Hon. Fred H. Minor, Speaker of the House, presented Hon. Dan Moody who addressed the joint session and assemblage and at the close of his address introduced Hon. Ross S. Sterling, Governor.

Governor Sterling then addressed the joint session and the assemblage.

On motion of Senator Woodul the Senate retired to its Chamber.

ADJOURNMENT.

Speaker Minor after stating that the House having already agreed to stand adjourned at the conclusion of the inaugural ceremonies until 2 o'clock p. m. tomorrow, announced that the House therefore stood adjourned at 1 o'clock p. m. until 2 o'clock p. m. tomorrow.

FIFTH DAY.

(Wednesday, January 21, 1931.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Engelhard.
Adams of Jasper.	Farmer.
Adamson.	Farrar.
Adkins.	Ferguson.
Akin.	Finn.
Albritton.	Fisher.
Alsup.	Forbes.
Anderson.	Ford.
Baker.	Fuchs.
Barron.	Gilbert.
Beck.	Giles.
Bedford.	Goodman.
Bond.	Graves.
Bounds.	Greathouse.
Boyd.	Grogan.
Bradley.	Hanson.
Brice.	Hardy.
Brooks.	Harman.
Bryant.	Harrison
Burns	of El Paso.
of McCulloch.	Harrison
Burns of Walker.	of Waller.
Carpenter.	Hatchitt.
Caven.	Hefley.
Claunch.	Herzik.
Coltrin.	Hill.
Coombes.	Hines.
Cox of Lamar.	Holder.
Cox of Limestone.	Holland.
Cunningham.	Holloway.
Dale.	Hoskins.
Daniel.	Howsley.
Davis.	Hubbard.
DeWolfe.	Hughes.
Dodd.	Jackson.
Donnell.	Johnson
Dowell.	of Dallam.
Dunlap.	Johnson
Dwyer.	of Dimmit.
Elliott.	Johnson of Morris.

Jones of Shelby.	Rogers.
Justiss.	Rountree.
Kayton.	Sanders.
Keller.	Satterwhite.
Kennedy.	Savage.
Laird.	Scott.
Lasseter.	Shelton.
Lee.	Sherrill.
Lemens.	Smith of Bastrop.
Leonard.	Smith of Wood.
Lilley.	Sparkman.
Lockhart.	Stephens.
Long.	Stevenson.
McCombs.	Steward.
McDougald.	Strong.
McGill.	Sullivant.
McGregor.	Tarwater.
Magee.	Terrell
Martin.	of Cherokee.
Mathis.	Terrell
Metcalfe.	of Val Verde.
Moffett.	Towery.
Moore.	Van Zandt.
Morse.	Vaughan.
Munson.	Veatch.
Murphy.	Wagstaff.
Nicholson.	Walker.
Olsen.	Warwick.
O'Quinn.	Weinert.
Patterson.	West of Cameron.
Petsch.	West of Coryell.
Pope.	Westbrook.
Ramsey.	Wiggs.
Ratliff.	Wyatt.
Ray.	Young.
Richardson.	

Absent—Excused.

Duvall.	Reader.
Jones of Atascosa.	Turner.
Mehl.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Reader for today and tomorrow, on motion of Mr. Hardy.

Mr. Mehl for today, on motion of Mr. Fuchs.

Mr. Turner for today and tomorrow, on motion of Mr. Wiggs.

The following members were granted leaves of absence on account of illness:

Mr. Jones of Atascosa for today, on motion of Mr. Cox of Limestone.

Mr. Duvall for today, on motion of Mr. Dunlap.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Giles and Mr. Adkins:

H. B. No. 48, A bill to be entitled "An Act amending Article 2956 of the Revised Civil Statutes of Texas of 1925, and repealing all laws in conflict; said amended article relating to suffrage and providing who may exercise the privilege of voting an absentee ballot, and prescribing the conditions under which said voting shall be conducted, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Bond:

H. B. No. 49, A bill to be entitled "An Act amending Article 3832, Title 57, Revised Civil Statutes, 1925, providing exemptions to every family, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bounds:

H. B. No. 50, A bill to be entitled "An Act making it a misdemeanor to use a telephone in the office, place of business or home of another person, firm or corporation for long-distance conversation and have the charges, fees and tolls therefor charged to the person, firm or corporation in whose name the telephone so used is registered without the consent of the person, firm or corporation in whose name such telephone is registered, and prescribing a penalty therefor, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. McCombs:

H. B. No. 51, A bill to be entitled "An Act to amend Article 2039, Chapter 3, Title 42, of the Revised Civil Statutes of 1925, relating to citation by publication, so as to provide that in actions affecting the title to, possession of, interest in or lien on land a non-resident whose residence or ad-

dress is disclosed by the records in the county clerk's office affecting the title to such land, or interest therein, shall be served, if possible, as provided by Articles 2037 and 2038 of this chapter, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCombs:

H. B. No. 52, A bill to be entitled "An Act to amend Article 3531 of Chapter 19, Title 54, of the Revised Civil Statutes of 1925, relating to the classification of claims against an estate so as to fix the classification and priority of claims based on liens against property as of the date immediately before the death of the decedent; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCombs:

H. B. No. 53, A bill to be entitled "An Act to regulate the presentation, allowance, approval, classification and payment of claims and liens against estates of deceased persons and to direct the manner of collection and foreclosure of such liens; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Giles, Mr. Ray and Mr. Van Zandt:

H. B. No. 54, A bill to be entitled "An Act to promote the production of better eggs and manufactured egg products in the State of Texas by regulating the traffic in eggs; to prevent fraud and misrepresentation in dealing in eggs and manufactured egg products, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Stevenson:

H. B. No. 55, A bill to be entitled "An Act providing for the jurisdiction of the county court of Schleicher county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil

jurisdiction of said court; conforming the jurisdiction of the district and justice courts of said county to such change; fixing the time of the county court; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Wagstaff:

H. B. No. 56, A bill to be entitled "An Act to amend Article 5160 of the Revised Civil Statutes of 1925, as amended by the act of the Forty-first Legislature of 1929, Regular Session, page 481, Chapter 226, Section 1, so as to repeal that part thereof providing for the filing of claims with the county clerk; providing more adequate and better regulations and provisions in connection with bonds where a person or persons, firm or corporation enter into a formal contract with this State, or any subdivision thereof, or any municipality therein, for the construction of any public building, or the prosecution and completion of any public work, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCombs:

H. B. No. 57, A bill to be entitled "An Act to exempt from taxation the property owned or used exclusively and reasonably necessary in conducting any association engaged in promoting the religious, educational and physical development of boys and girls, young men or young women, operating under a State or National organization of like character, and all endowment funds of such institution, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hines and Mr. Jones of Atascosa:

H. B. No. 58, A bill to be entitled "An Act providing that any person who may be convicted of a misdemeanor or petty offense, and who shall be committed to jail in default of the payment of the fine and costs, may be worked upon the public roads, or upon the county farms of the county in which such conviction is had, or be hired out to any individual in such county; providing that the proceeds of such hiring shall be

used to pay the cost and fine assessed against the convict; providing that convict shall be entitled to one dollar for each day under such hiring, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Warwick:

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 64 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 123, relating to the salary of district attorneys, and amending Chapter 55 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 94, relating to the appointment and compensation of assistants to district attorneys, and amending Article 1021 of the Code of Criminal Procedure of Texas relating to the per diem of district attorneys in all judicial districts composed of two or more counties, and limiting the per diem to 230 days in any one year, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. McCombs:

H. B. No. 60, A bill to be entitled "An Act to adopt a general arbitration statute and making valid and enforceable written agreements and provisions in contracts for the arbitration of disputes; providing for a stay of proceedings brought in violation of arbitration agreements and providing a remedy in case of the failure, neglect or refusal of a party to perform under an agreement for arbitration by filing a motion in court with notice, hearing an order on such hearing, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Wagstaff:

H. B. No. 61, A bill to be entitled "An Act validating the surveys of all lands heretofore or hereafter made and returned to the General Land Office, vesting the title to lands included within the lines of said surveys, as returned to the General Land Office, in the parties for which same were made, their heirs, successors and assigns, creating rules of evidence to protect the title to such surveys, etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Wagstaff:

H. B. No. 62, A bill to be entitled "An Act amending Article 5420 of the Revised Statutes of Texas of 1925 so as to limit the venue of suits instituted by the Attorney General for public lands or for rents for same or damages thereto to the county of the defendant's residence or the county where the land lies; providing that when any public lands are held, occupied or claimed by any person, association or corporation adversely to the State, or to any fund, or when lands are forfeited to the State for any cause, the Attorney General shall institute suit therefor, together for rent thereon and for any damages thereto; fixing the venue of such suits and of suits under Article 5519 in the county of the defendant's residence or the county where the land lies, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Burns of Walker and Mr. Ratliff:

H. B. No. 63, A bill to be entitled "An Act to amend Article 1020 of the Code of Criminal Procedure of the State of Texas for 1925, so as to provide that in all felony cases where an examining trial is held and the defendant is thereafter indicted by the grand jury, the examining trial fees of the sheriff shall be the same as provided by Articles 1029 and 1030 of the Code of Criminal Procedure, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 64, A bill to be entitled "An Act to amend Article 3995, Title 65, Revised Civil Statutes, 1925, providing that any renewal, extension of any verbal contract for the rerenting of real estate shall be in writing and if not in writing, no action shall be defended in any court thereon, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Hatchitt, Mr. Long and Mr. Walker:

H. B. No. 65, A bill to be entitled "An Act to amend Articles 7674, 7677 and 7684, Chapter 2, Title 128, of the Revised Civil Statutes, 1925, as follows: Amend Article 7674 by provid-

ing that by the payment of one-half of the taxes levied for 1931 and each calendar year thereafter on or before the 31st day of January next thereafter, the other one-half of such taxes shall not become delinquent until the 31st day of July next following. Amend Article 7677 by providing that delinquent tax rolls shall be made upon the 31st day of January and 31st day of July of each year, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Graves:

H. B. No. 66, A bill to be entitled "An Act to amend Section 4 of Article 1545 of the Penal Code of the State of Texas, as revised in 1925, and making the giving of any check, draft or order for money upon any bank, firm, person or corporation an offense, provided the person so giving such check, draft or order has not at the time of giving such check, draft or order sufficient funds deposited with such bank, firm, person or corporation to pay such check, draft or order, providing rules of evidence hereunder, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves:

H. B. No. 67, A bill to be entitled "An Act to amend Chapter 10, of Title 32, of the Revised Civil Statutes of Texas, by adding thereto Article 1436a so as to by said Article 1436a so added, require that any public utility mentioned in the said Chapter 10 shall obtain a franchise or permit before entering any incorporated town or city within this State, or engaging in business therein, or erecting any plant, building, structure, line or other improvement in such town or city, from the governing body of such town or city so to do, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Graves:

H. B. No. 68, A bill to be entitled "An Act providing a mode for the restoration of civil and political rights, and privileges lost by a judgment of conviction for a felony, and for removing the infamy occasioned or created by such conviction, after the person so convicted has served

and performed and satisfied the conditions of such judgment and sentence thereunder, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves:

H. B. No. 69, A bill to be entitled "An Act to amend Article 651 of the Code of Criminal Procedure of the State of Texas, 1925, so as to provide that defendants jointly or separately indicted for an offense growing out of the same transaction shall in the discretion of the trial court be placed on trial jointly or separately and permitting all defendants jointly tried to testify to any relevant facts; and repealing Articles 650, 652, 653, 654 and 711 of the Code of Criminal Procedure of this State as revised in 1925, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves:

H. B. No. 70, A bill to be entitled "An Act amending Article 11 of the Code of Criminal Procedure of the State of Texas as revised in 1925, so as to allow an accused person to waive the right of trial by jury, except in capital cases, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves:

H. B. No. 71, A bill to be entitled "An Act providing that in the trial of any criminal case, if it be made to appear that the defendant has been confined in jail on the charge for which he is being tried, in the discretion of the court or jury trying the cause, such confinement may be considered in assessing punishment, in a case of a conviction. Providing further, that when a person is convicted on a felony charge and the punishment assessed is confinement in jail or a fine, or both, that the judgment of conviction shall be for a misdemeanor, and not for felony, and shall be satisfied as such, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Harrison, Mr. McGill and Mr. Jackson:

H. B. No. 72, A bill to be entitled "An Act providing for the issuance

of patents to the bona fide occupants claimants of lands which have been found by the Supreme Court of the United States to be in Texas, under the decree in New Mexico vs. Texas, entered April 9, 1928, and which are claimed in good faith to be covered by a patent from United States or to be an accretion to such patent, providing that present possession shall not be a requisite where the land is included in the survey called in the patent from the United States, etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Shelton:

H. B. No. 73, A bill to be entitled "An Act providing for the regulation of gins, ginners; ginning; the licensing of ginners; providing for proper packing, wrapping, marking, and providing for weighing of seed cotton, lint cotton, and cotton seed, and keeping a record of the same; providing for the collection of license fees to be used by the Commissioner of Agriculture for the enforcement of this act, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Weinert, Mr. Barron, Mr. Claunch and others:

H. B. No. 74, A bill to be entitled "An Act to postpone the collection of State, county, special school, school district and levee improvement taxes levied and assessed for the year 1930 until after October 15, 1931; providing for interest and penalties on certain taxes not paid prior to February 1, 1931, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mrs. Hughes:

H. B. No. 75, A bill to be entitled "An Act to amend Article 2266, Revised Statutes, 1925, regulating appeals in forma pauperis from county and district courts, and Article 2457 regulating appeals in the same manner from justice courts; simplifying the procedure, providing that the affidavit of the party appealing, stating his inability to pay or secure the costs, or any part thereof, shall be prima facie sufficient and conclusive, unless successfully contested by an officer or court, or a party interested, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Warwick, Mr. Tarwater and Mr. Johnson of Dallam:

H. B. No. 76, A bill to be entitled "An Act to establish and maintain an agricultural experiment station in the Panhandle region of Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board to establish and maintain the same, etc., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bond:

H. B. No. 77, A bill to be entitled "An Act to amend Articles 687 and 689 of Chapter 6, Code of Criminal Procedure, providing that nine jurors in a felony case and five jurors in a misdemeanor case may return into court a verdict, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hines and Mr. Farrar:

H. B. No. 78, A bill to be entitled "An Act to amend Article 2008 of the Revised Civil Statutes of the State of Texas, 1925, and providing that upon the filing of such controverting plea the judge or justice of the peace shall note on same a time for a hearing on the plea of privilege; and providing for service of copy of such controverting plea, together with notation thereon, upon the defendant or his attorney for at least ten days exclusive of the day of service and date of hearing; and providing that either party may appeal from the judgment sustaining or overruling the plea of privilege to the court to which such appeal would properly lie, regardless of the amount involved in such controversy, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bond and Mr. Petsch:

H. B. No. 79, A bill to be entitled "An Act authorizing juries to be drawn, selected and empaneled in felony cases in counties other than the county where the case is pending where a jury cannot be secured alike fair and impartial to the accused and

to the State in such county; authorizing the district judge to make an order directing such juries to be drawn, selected and empaneled, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 80, A bill to be entitled "An Act authorizing indictments to be corrected and amended after same have been returned by the grand jury; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 81, A bill to be entitled "An Act amending Chapter 17 of the Thirty-ninth Legislature, page 44, also amending Articles 5160, 5161, 5162, 5163 and 5164, Revised Civil Statutes of the State of Texas for 1925, providing that anyone contracting with the State of Texas, or its counties, or school districts, or other subdivisions or any municipality for the construction of public buildings or the prosecution and completion of any public work, they shall retain at least 50 per cent of the funds that may become due and owing on the contract until final completion of such contract; also providing that laborers, materialmen and those furnishing equipment shall have a lien, and also providing for security to be furnished by contractors, also providing that accounts for materials and labor shall be filed, procedure for the enforcement of claims and liens, time to sue, prorating claims, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bond:

H. B. No. 82, A bill to be entitled "An Act to amend Articles 768 and 769 of the Code of Criminal Procedure of the State of Texas; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 83, A bill to be entitled "An Act to amend Articles 588, 597 and 601 of the Code of Criminal Procedure of the State of Texas, providing that in capital cases, where death penalty is not asked, and the nature

of the case is such in the judgment of the court a jury can be secured from the regular jury, the jury shall be secured as in ordinary felony cases, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 84, A bill to be entitled "An Act to amend Article 2352 of Title 44, Revised Civil Statutes, 1925, prohibiting any commissioners court creating any annual current indebtedness which shall exceed the annual current revenues of any such county, and such indebtedness thus created in excess of the annual current revenue shall be void, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bond:

H. B. No. 85, A bill to be entitled "An Act to amend Article 1025 of the Code of Criminal Procedure of the State of Texas, fixing fees of district and county attorneys in felony cases; to repeal all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. McCombs:

H. B. No. 86, A bill to be entitled "An Act defining group life insurance; providing that no policy of group life insurance shall be issued or delivered unless and until a copy of the form thereof has been filed with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of any such insurance; providing the method of computing the reserves on such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the act, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. McCombs:

H. B. No. 87, A bill to be entitled "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds there-

of, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds, or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, and such payment so made, in the absence of such notice received by the insurance company prior to the date of the payment of the proceeds, shall discharge the company from all liability under the policy; providing, that the provisions of this act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Gilbert:

H. B. No. 88, A bill to be entitled "An Act to amend Article 5467, Chapter 2, Title 90, of the 1925 Revised Civil Statutes of Texas, relating to the accrual of indebtedness for material furnished by materialmen where there is an agreement to pay for same at a specified time."

Referred to Committee on Judiciary.

By Mr. Gilbert:

H. B. No. 89, A bill to be entitled "An Act making unlawful cohabitation with another in this State after a bigamous marriage elsewhere; making such an offense a felony, and providing a penalty."

Referred to Committee on Criminal Jurisprudence.

By Mr. Gilbert:

H. B. No. 90, A bill to be entitled "An Act to amend Article 5473, Chapter 3, Title 90, of the 1925 Revised Civil Statutes of Texas, as amended by the Acts of 1929, Forty-first Legislature, page 477, Chapter 223, Section 1, relating to the fixing of contractors' liens on oil and mineral properties."

Referred to Committee on Judiciary.

By Mr. Pope, Mr. Morse, Mr. West of Cameron, Mr. Dunlap, Mr. Lemens, Mr. Mehl, Mr. Holland, Mr. Hefley and Mr. Beck:

H. B. No. 91, A bill to be entitled "An Act to define, register and regulate real estate brokers within the State of Texas, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Gilbert:

H. B. No. 92, A bill to be entitled "An Act to amend Article 1053, Chapter 5, Title 28, of the Revised Civil Statutes of Texas of 1925, relating to notices given property owners by city and town boards of equalization."

Referred to Committee on Revenue and Taxation.

By Mr. Richardson:

H. B. No. 93, A bill to be entitled "An Act to create a State farm industrial commission to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other American industries; providing for the effective preservation of the soil by rotation of crops and terracing of the cultivated lands that are washing away, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. DeWolfe:

H. B. No. 94, A bill to be entitled "An Act to fix the salary of the county superintendent of public instruction and the county board of school trustees in each county in Texas having a population of not less than 18,425 nor not more than 18,435, according to the Federal census of 1930; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Forbes:

H. B. No. 95, A bill to be entitled "An Act relating to motion picture films, reels, discs or stereopticon views or slides, providing a system of examination, approval and regulation thereof, and of all banners, posters and other like advertising matter used in connection therewith, and the classing of films and pictures; creating a board of censors, and providing penalties for the violation of this act."

Referred to Committee on State Affairs.

By Mr. Reader, Mr. Terrell of Val Verde, Mr. Dunlap, Mr. Herzik and Mr. Finn:

H. B. No. 96, A bill to be entitled "An Act amending Sections 15, 16, 17 and 19 of the Acts of 1929, Forty-first Legislature, page 242, Chapter 107, all relating to the practice of pharmacy, and regulating in the distribution, compounding, manufacturing and sale of medicines, drugs and chemicals in the State of Texas; defining the terms pharmacists and pharmacy, drugs and drug store; providing for exceptions from the provisions of said act and chapter, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Reader, Mr. Terrell of Val Verde, Mr. Dunlap, Mr. Herzik and Mr. Finn:

H. B. No. 97, A bill to be entitled "An Act amending Section 8 of the Acts of the Forty-first Legislature, Chapter 107, relating to the practice of pharmacy and regulating the distribution, compounding, mixing, manufacturing and selling of drugs, medicines, poisons, narcotics and derivatives; defining poisons as used in this act; providing for certain exceptions, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Warwick:

H. B. N. 98, A bill to be entitled "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jones of Atascosa and Mr. Veatch:

H. B. No. 99, A bill to be entitled "An Act repealing the acts relating to the practice of barbering; abolishing the Board of Barber Examiners; repealing Sections 1 to 33, both inclusive, of Chapter 65 of the Acts of the First Called Session of the Forty-first Legislature, 1929, etc."

Referred to Committee on Public Health.

By Mr. Jones of Atascosa:

H. B. No. 100, A bill to be entitled "An Act to qualify certain consolidated school districts to receive bonuses and transportation aid under the provisions of the Rural Aid Law for the 1929-31 biennium; authorizing and directing the State Superintendent of Public Instruction to pay such aid out of the current State

aid appropriation, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jones of Atascosa:

H. B. No. 101, A bill to be entitled "An Act repealing Article 619 of Title 8, Chapter 3, of the Code of Criminal Procedure, 1925, of Texas, pertaining to the disqualification of jurors, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Lockhart:

H. B. No. 102, A bill to be entitled "An Act providing that where property is insured against loss or damage by fire, collision, theft or the elements, and the insurance company liable therefor shall fail to pay losses thereon, shall fail to pay same promptly, such insurance company shall be liable to the insured for delay and for attorneys' fees; providing for a tender to avoid such damages, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Lockhart:

H. B. No. 103, A bill to be entitled "An Act amending subdivision 29, of Article 1995, of the Revised Civil Statutes of the State of Texas, of 1925, so as to omit therefrom the words 'and can only be maintained' so as more clearly to define such subdivision as a venue statute and not a statute restricting jurisdiction to the courts of the counties referred to therein, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Lockhart:

H. B. No. 104, A bill to be entitled "An Act amending Article 2234 of the Revised Civil Statutes of the State of Texas, 1925, so as to provide that the decision of the trial judge refusing to grant a new trial on the ground of misconduct of the jury shall be final, and that such decision shall not be reviewed on appeal, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Smith of Wood:

H. B. No. 105, A bill to be entitled "An Act to amend Article 793 of the Code of Criminal Procedure of the

State of Texas, Revised Criminal Statutes of 1925, as amended by House bill No. 58 of the Fortieth Legislature so as to provide that if a defendant convicted of a misdemeanor is unable to pay his fine and costs of the trial, he may discharge same at the rate of one dollar per day, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Mathis, Mr. Burns of McCulloch and Mr. Barron:

H. B. No. 106, A bill to be entitled "An Act to amend Article 3995 of the Revised Civil Statutes of 1925, so as to add to said article subdivision 6, relating to express trusts in real property, and subdivision 7, relating to agreements or transactions by which it is sought to establish a resulting or constructive trust in real property, providing a limitation period in which suits may be brought for the purpose of establishing such agreements or transactions, providing that parol proof shall not be competent to establish such an agreement or transaction unless it is clear and satisfactory, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Terrell of Cherokee:

H. B. No. 107, A bill to be entitled "An Act amending Article 2352, Title 44, Revised Civil Statutes, 1925, prohibiting any commissioners court from creating any annual current indebtedness which shall exceed the annual current revenues of any county, and any indebtedness thus created in excess of annual current revenues shall be void; adding Article 2352a, authorizing the creation of certain indebtedness by the issuance of county warrants when approved by a majority vote of the qualified property taxpaying voters of the county, providing for calling an election to determine whether such warrants shall be issued; limiting the rate of interest and time of maturity of warrants and enacting other necessary provisions; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Pope:

H. B. No. 108, A bill to be entitled "An Act to amend Article 1302, Chap-

ter 1, Title 32 of the Revised Statutes of 1925, by adding thereto Section 91c, so as to provide for the creation of private corporations for the purpose of buying and selling products of the soil and to own, maintain and operate cotton seed oil and other mills for grinding, mixing, and preparing such products for market, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Ray and Mr. Harman:

H. B. No. 109, A bill to be entitled "An Act making it unlawful to trap, snare, shoot at, catch or kill any wild fox in Bell county; providing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hines:

H. B. No. 110, A bill to be entitled "An Act to amend Article 4617 of the Revised Civil Statutes of Texas for 1925 so as to authorize an application to be filed by a wife in case the whereabouts of the husband are unknown; and also providing for transferring the application to another district court, or exchange benches, in the event the district judge is disqualified to hear the application, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Burns of Walker:

H. B. No. 111, A bill to be entitled "An Act amending Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature, providing for open season on squirrels in certain counties; providing penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. McGregor, Mr. Beck, Mr. McCombs and Mr. Morse:

H. B. No. 112, A bill to be entitled "An Act providing that there shall be constructed a permanent Museum Building to be known as the Texas State Museum Building; locating the same in the city of Austin on or adjacent to the campus of the University of Texas and on a plot of land of not less than three acres, dedicated and set apart for that purpose; providing how said building shall be constructed, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Farrar:

H. B. No. 113, A bill to be entitled "An Act providing that the annual interest and sinking fund as it falls due on all county, road district, or road precinct road bonds, to the extent that the proceeds thereof were used in the construction of State designated highway or highways, shall be paid out of funds of the Highway Commission accruing under the laws and appropriations of the State of Texas, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mrs. Moore and Mr. Bedford:

H. B. No. 114, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas, in and to certain abutting property known as the Texas City or Government dike, to the city of Texas City in Galveston county, Texas, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Anderson and Mr. Kayton:

H. B. No. 115, A bill to be entitled "An Act to amend Article 922 of the Code of Criminal Procedure of the State of Texas, 1925, so as to require an affidavit of insanity to be filed by a competent medical authority after examination, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. McCombs:

H. B. No. 116, A bill to be entitled "An Act to amend Article 3690, of Chapter 29, Title 54, of the Revised Civil Statutes of 1925, so as to provide that no commissions shall be allowed or received for receiving any cash which was on hand at the time of the death of the testator or intestate, nor for paying out money to the heirs or legatees as such, except upon the equity of mortgaged property in case any of the property of such testator or intestate was mortgaged at the time of his or her death; repeal-

ing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCombs:

H. B. No. 117, A bill to be entitled "An Act to amend Article 4192, Chapter 8, Title 69, of the Revised Civil Statutes of 1925, relating to sales of real estate by guardians and loans for the improvement of real estate, so as to eliminate any reference to making loans in said Article 4195, and to amend Article 4211 of Chapter 8, Title 69, so as to include within the loans now authorized by Article 4211 loans to be made for improvements and repairs on real estate, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Wiggs:

H. B. No. 118, A bill to be entitled "An Act amending Article 4604 of the Revised Civil Statutes of 1925, as amended by Chapter 114, Acts of the Regular Session of the Forty-first Legislature, relating to the issuance of marriage licenses, and repealing Articles 4604a, 4604b and 4604c of said Chapter 114, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Savage and Mr. Davis:

H. B. No. 119, A bill to be entitled "An Act to amend Article 4200 of Chapter 8, Title 69, of the Revised Civil Statutes of 1925, relating to terms of sale of real estate made by guardians, so as to provide that a sale may be made of the equity in land securing an indebtedness; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Pope:

H. B. No. 120, A bill to be entitled "An Act to amend Articles 2237, 2238 and 2239 of the 1925 Revised Civil Statutes of Texas, by providing that where the ruling of the court upon the admission or exclusion of evidence is shown by the transcript or statement of facts, and where the objections and exceptions are likewise shown, no formal bill of exception shall be necessary, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McGregor:

H. B. No. 121, A bill to be entitled "An Act providing that the Commissioner of the General Land Office be authorized and directed to search out, locate, describe and plat all tracts, lots, pieces and parcels of land lying and being within the city limits of the city of Austin and belonging to the State of Texas and which have not been disposed of by the State and which are now not in use by the State, and have the same surveyed, platted and the corners thereof established, etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Holland:

H. B. No. 122, A bill to be entitled "An Act amending Articles 7336 and 7337 reducing the penalties on delinquent taxes to 2 per cent for the first three months and 5 per cent thereafter for the next succeeding three months, making a total penalty of the amount of 10 per cent per annum thereafter until paid."

Referred to Committee on Revenue and Taxation.

By Mr. Olsen, Mr. Keller and Mr. Morse:

H. B. No. 123, A bill to be entitled "An Act to safeguard against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a board of architectural examiners; providing for appointment; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said board, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Wiggs:

H. B. No. 124, A bill to be entitled "An Act to confirm and validate the sale by the State, acting through the Board of Regents of the University of Texas of certain University lands situated in Lamar county, Texas, reserving to the State the minerals in said lands, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Harrison of El Paso:

H. B. No. 125, A bill to be entitled "An Act amending Article 1811-141a, Chapter 191, General and Special Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

Referred to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

R. S. Sterling, Governor.

Executive Department,
Austin, Texas, January 21, 1931.

To the House of Representatives:

I hand you herewith my initial message for your consideration.

In the interest of economy of time I deem it proper that I suggest the message be presented to your honorable body through your established agencies rather than consuming the time which would be required in the calling and assembling of a joint session and my personal appearance and presentation of the message.

Yours truly,

(Signed) R. S. STERLING,
Governor.

Executive Office,
January 21, 1931.

To the Senate and House of Representatives:

We are all here for the same high purpose—to serve Texas.

We come at a momentous hour in the history of the State. There is a vast field of service for us all, an opportunity for noble achievement. Texas is in the midst of a great development, and at the threshold of an even greater. Ours is the mission and the responsibility of writing and administering laws to keep the government in step with the State's progress, to meet its changing needs, and to encourage better progress.

This is a solemn responsibility. It requires the most earnest effort and the deepest wisdom at our command; a statesmanship that must harmonize conservatism with initiative, and experience with vision. The future advancement of the commonwealth may be measured by the success of our undertaking.

You are the first Legislature to operate under the constitutional amendment adopted at the last general election, providing for a four months' Regular Session, and increasing the per diem of members. This amendment offers you an opportunity which no previous lawmaking body of this State has ever had.

It enables you to give more thorough, deliberate and efficient consideration to legislation. The enhanced per diem will tend to relieve the financial worries which I know have distracted members of former legislatures. Under the new amendment, I am hopeful that this Legislature will produce the best-considered and most constructive program of enactments of all the forty-two State assemblies of Texas history.

It shall be my abiding purpose to remain within the bounds of the province which the people, through the Constitution, have allocated to the Chief Executive. However, this democratic plan of government, charging the executive with the duty of suggesting laws, and with that of approving or disapproving them after the Legislature has passed them, naturally calls for harmony and co-operation between the two departments. Otherwise, the system fails.

It is the harmony and co-operation that I most earnestly crave and bespeak of your honorable bodies. I feel that we begin our labors with a spirit of concord as fine as has ever been witnessed at the launching of a new administration. I pray that it will continue until our work is finished.

The outgoing executive, in his final message, has discussed the condition of the State, presenting a clear picture of the government's financial and economic status. There is no need of my going over that ground, and I commend his illuminating message to your careful study. Thus the only constitutional duty left to this message is to suggest such measures as I deem expedient.

In connection with conditions, I may refer to the economic indisposition of the country during recent months. I share the belief of leading men of affairs that this condition is passing and will soon be over. Texas has fared better than other parts of the nation; and as far as Texas is concerned, we know the depression is merely temporary. This State has yet a destiny of empire to fulfill.

Meanwhile, you may see fit to con-

sider legislation to hasten our recovery from the business stagnation. The Democracy of Texas, in its platform adopted at Galveston, urged the State, as well as county and municipal governments, to "do all in their power to relieve unemployment by the construction of public works at this time." There are certain State projects that must be placed under construction sooner or later; if you can see your way to do it sooner, then the unemployment situation may be relieved to that extent.

However, I do not suggest that you go beyond the bounds of economy in this or any other respect. On the contrary, I have no more earnest entreaty to make of you than that of careful and jealous spending of the State funds. False economy sometimes may be worse than extravagance, but on the whole I believe the State government can be carried on more frugally and at less expense, with as good or better efficiency. I beg you to strive toward that end. I think we may keep our perceptions of true economy clear by ever keeping in mind that we are spending the people's money.

You come fresh from the people, and know their legislative needs and wishes. However, as regards legislation in general, I would remind you of the Jeffersonian principle that "those governed least are governed best." The more elaborate our civilization becomes, the more legal regulations it requires; yet with the continual flood of statutes from our State and National hoppers, it seems that the masses are becoming more restricted and less protected, while with some of the more favored classes it is the reverse.

There are certain matters of legislation to which we are pledged by the expressed will of the majority. Those matters are set forth in the Democratic platform, upon which the executive and most of your members were nominated and elected. The platform is an obligation second only to the Constitution itself. If we fail to carry out every demand made upon us in the platform, consistent with the Constitution, we fail in obedience to the people who elected us. These demands obligate the Legislature and the executive to enactments which I shall discuss as follows:

Prison System.

As long as there is crime and legal punishment by the State, we will have

a prison problem. There is no magic panacea that will permanently dispose of it. The best that can be done is to grapple with conditions as they develop, in the best way we can to carry out the purposes of legal punishment—which are to protect society and reform the offender.

State prisoners are not entitled to luxury, but they are entitled to humane treatment. The Texas penitentiary system has become antiquated, and there is need of legislative modernization, providing for sanitary, fire-proof and escape-proof buildings, and adequately equipped hospital facilities for convicts. Should a contemplated survey determine that levees to protect river bottom lands in the prison system are practicable, they should be constructed, with prison labor.

No doubt the purposes of punishment are often defeated by the environments into which convicts are thrown, and instead of being reformed they are "de-formed." The law should provide affirmatively for humane treatment of convicts, and for segregation so that youthful offenders and those convicted of minor felonies may be protected from association with and the evil influence of confirmed criminals.

A merit system is being developed in the penal institutions by the present manager. This system of merits should be given the force of law, and used as the basis for paroles and furloughs, as well as for prison privileges. It may be well to consider measures for the discouragement of escapes.

In addition to the above platform propositions, the executive is pledged to a business administration of the prison system. Such an administration already is well begun by the present management. Upon a more exhaustive study of the problem, I shall suggest such legislation as may be deemed advisable in advancing the enterprise.

Law Enforcement.

The Democratic party, in its platform, rededicated itself to the impartial and strict enforcement of our prohibition as well as all other laws. It called upon the people to respect and observe them, and pledged the party nominees to their vigorous enforcement; urged the Legislature to empower the Chief Executive to exercise his constitutional duty in execut-

ing the laws; favored reforms of criminal procedure to promote speedy justice; and recommended establishment of a State Bertillon identification bureau to aid State officers in the identification and apprehension of criminals. All of these declarations I commend to your earnest consideration.

State Hospitals.

A growing population naturally brings an increasing number of insane and other unfortunate public charges. Humanity demands that reasonably adequate facilities be provided for them. Our State hospitals are overcrowded, and many of the buildings are not fireproof. These conditions should be remedied.

Education.

Rural children are entitled to equal opportunities with urban children. Placing a premium upon city residence, through superior school facilities, tends to tear down the greatest stronghold of our civilization, country life. Our educational laws should be developed as rapidly as consistently possible to the point of affording every Texas boy and girl the chance to obtain a good education through high school. Also, the State institutions of higher learning must be given adequate support—all to the end that Texas may take her proper leading place in educational rank among the States of the Nation.

State Parks.

State parks may be casually regarded as luxuries, but in truth they are important factors in the full development of the State, economically as well as culturally. It would be far better to have people from other States to come to Texas to visit our parks than for our people to have to visit other States in order to enjoy such scenic places. Texas affords a wealth of locations for parks, and our park system should be developed before the building up of the State makes them more difficult and more expensive to acquire.

Water Priorities.

The Democracy of Texas has committed itself to the proposition that municipalities are entitled to preferential rights in the use of public and flood waters, for domestic and municipal purposes, and that the irrigationist and stockman should be protected

in the use of such waters for the proper needs of their respective industries. Accordingly, I suggest for your consideration the enactment of adequate legislation fixing by law the priorities in the allotment of public and flood waters, to the end that in future allotments the development of hydro-electric power shall be subordinate to the rights of municipalities, irrigationists and stockmen.

The Democratic platform particularly suggested certain further measures of legislation, recommending that the Legislature and the Chief Executive earnestly co-operate toward their accomplishment. By way of reminding you of these suggestions, and because they are brief and concise, I shall quote their language verbatim, adding my recommendation for their consideration to that of the State convention.

Highways.

"We advocate the speedy and economic distribution of a connected and correlated system of State highways as necessary to the development of Texas. The fairest and most just manner of raising funds to meet the cost of highway construction is by taxes imposed upon the traffic that uses and enjoys the roads. And we are committed to a policy of meeting the cost of State highway construction by traffic taxes. We urge the Legislature to consider the problem of financing the construction and maintenance of designated highways to the end that the traffic alone shall bear the expense of such construction and maintenance, and that no part thereof shall come from ad valorem taxes on homes, farms, ranches or other real or personal property.

"Counties have contributed large sums of money, through the issuance of county and road district bonds, to help pay the cost of construction of trunk roads, which constitute a part of the system of the State and Federal designated highways. These routes of travel serve a State-wide need and are not intended as purely a local convenience. We are committed to a policy of refunding to these counties on a fair and just basis their contribution to the cost of such highway construction. If the counties of the State can build and maintain their nearly 200,000 miles of local and lateral roads, justice demands that the State, with Federal aid, meet the cost of constructing and maintaining the 20,000 miles of State highway."

In this connection I may remark that the State Highway Commission has placed all possible road work under way during recent months in order to provide as much employment as it could, and has found this a good means of aiding the jobless. This might be kept in mind in your deliberations. Measures dealing with other phases of highway development and traffic regulation will come before you and should receive careful consideration.

Taxation.

"The burden of taxation for any public purposes already has fallen too heavy upon farms, homes, ranches and other real and personal property, and there should be a thorough revision of the tax laws of the State to distribute more equitably the burdens of taxation and to lighten that which has been placed and is still being placed upon farms, homes, ranches and other real and personal property. Mineral wealth, such as oil, gas, sulphur and the like should bear a just share of taxation as it be exhausted.

Dependent Children.

"The neglect by the State of abandoned, dependent and under-privileged children is a shame to any people. We, therefore, require at the hands of our Legislature improvement in the State's method of handling these unfortunates, and the co-ordination of the efforts of the State, counties, municipal governments and private welfare agencies in this work.

Conservation.

"Conservation of the natural resources of Texas by all sound and feasible means, with an effort to conserve our water supply and encourage soil conservation.

Cotton Production.

"A plan of co-operation among all of the cotton-growing States through our Commissioners of Agriculture, our Agricultural and Mechanical College, and by proper legislative committees, to bring the several States into accord in the protection of this great industry of the South.

Labor.

"The eight-hour day should be amended and made effectively apply to labor on all public works. A minimum

wage law for the protection of women and children in industry is a necessity of the time. More liberal appropriations are due to the State Labor Department and measures should be adopted to better protect employes in dangerous occupations. Employes on highways should be protected by some form of compensation insurance. This is essential in view of the fact that limitations in the Constitution prohibit the Legislature from making provision for the dependent families of public employes who are injured in public work.

Public Utilities.

"Public utilities in the State have grown to vast proportions and in their very nature partake of monopolies. Such utilities are entitled to a reasonable return on the property devoted to public service, and the consumer is entitled to efficient and reasonable rates. Texas has no adequate utility regulation; therefore, we advocate legislation for the proper protection of the consuming public.

Encouragement to Capital.

"The greatest possible encouragement to the lending and investing of outside capital within our State, especially for financing homes, farms, ranches, industries of all kinds and all manner of enterprises that will promote new construction and give employment and occupation to our citizens.

Anti-Trust Laws.

"We favor strict enforcement of the anti-trust laws of the State and Nation, guaranteeing just and fair treatment of all capital, but assuring protection to the people.

Court Reform.

"Prompt action by the Legislature and the Governor to simplify our court procedure in Texas so that interminable delay in the administration of justice, civil as well as criminal, may be ended and the cost of court relief gradually lessened to the people."

To these propositions I shall at this time only add the suggestion that you bear in mind the growing need of soil conservation and reclamation and better agricultural conditions; of more facilities for the care of tuberculars; of knitting more closely together the departmental work of the

State government, by elimination of unnecessary functions and improvement of others—through full development and possible reinforcement of the new State Auditor Law, and generally through application of business principles and business economy.

This being a year following a decennial census, you are faced with the task, imposed by the Constitution, of reapportioning the legislative districts of the State congressional, senatorial and representative, in accordance with the population. I have full confidence in your wise disposition of this problem, as well as all others that will come before you.

May you have a session replete with pleasant associations, busy days and the satisfaction of work well done; a session productive of great service and benefit to the people.

Respectfully submitted,
ROSS S. STERLING,
Governor.

(Mr. McGill in the chair.)

ADDRESS BY MR. CECIL SISSON.

Mr. Morse offered the following resolution:

Whereas, Mr. Cecil Sisson, President of the Salesmanship Club of Houston, and a distinguished citizen of that metropolis, is on the floor of the House; and

Whereas, Mr. Sisson has a message of great interest and importance to the members of this Honorable Body; now therefore, be it

Resolved, That Mr. Sisson be escorted to the Speaker's stand and invited to address the House.

Signed—Morse, Holland, Bradley, Mathis, Adams of Harris.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Sisson to the Speaker's stand:

Messrs. Morse, Mathis, Bradley, Holland and Adams of Harris.

The committee having performed their duty, Mr. McGill presented Mr. Mathis, who in turn introduced Mr. Sisson to the House.

Mr. Sisson then addressed the House and invited the members of the House to attend the Salesmanship Club Gridiron Dinner to be given at the Rice Hotel in Houston on January 31st.

On motion of Mr. Savage, the House accepted the invitation.

PROVIDING FOR PAYMENT OF EXPENSES OF THE INAUGURATION.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 6, Providing for the payment of expenses of inaugural ceremonies.

Whereas, The Senate and House of Representatives of the Forty-second Legislature passed a concurrent resolution authorizing the appointment of a committee from both houses to make the necessary preparations for the inauguration of Governor Ross S. Sterling and Lieutenant Governor Edgar E. Witt; and

Whereas, Certain expenses will of necessity occur in carrying out this work properly; therefore, be it

Resolved by the Senate of Texas, the House concurring, That the committee having this work in charge be authorized to spend not more than \$600 in connection with this work and that whatever debts properly incurred, not exceeding the above amount, be paid out of the contingent fund of the Forty-second Legislature. Be it further

Resolved, That the committee appointed to perform this service furnish the Speaker of the House and the Lieutenant Governor an itemized account of indebtedness incurred, approved by the chairman of this committee before any vouchers are issued.

The resolution was read second time and was adopted.

PROVIDING FOR CERTAIN INVESTIGATING COMMITTEE.

Mr. Johnson of Dimmit offered the following resolution:

H. C. R. No. 8, Providing for certain investigating committee.

Whereas, Former Governor Dan Moody, on January 19, 1931, submitted to the Legislature of Texas a special message directing the attention of the Legislature to certain conduct of Honorable L. J. Brucks, Judge of the Thirty-eighth Judicial District of Texas, which conduct, if true, would reflect upon the dignity of the judiciary of this State; and

Whereas, A preliminary investigation and report of this condition would assist the Legislature in determining further procedure in this matter; now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a committee of five be appointed, consisting of three members of the House, to be appointed by the Speaker of the House of Representatives, and two members of the Senate, to be appointed by the President of the Senate, to make such preliminary investigation and report to the House as early as practicable.

Signed—Johnson of Dimmit, Stevenson, Petsch.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 21, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has read and adopted House concurrent resolution No. 4.

Respectfully,

JNO. B. DuPRIEST,

Assistant Secretary of the Senate.

(Speaker in the chair.)

REPORT OF THE TEMPORARY COMMITTEE ON RULES.

The Speaker laid before the House, for consideration at this time, the following report of the temporary Committee on Rules:

Committee Room,
Austin, Texas, January 21, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: We, your temporary Committee on Rules, to whom was referred Senate concurrent resolution No. 2, relating to the amendment of rules, have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass, with committee amendment.

BECK, Chairman.

Mr. Beck asked unanimous consent of the House that the report of the temporary Committee on Rules, heretofore submitted, be withdrawn, and that the House consider in lieu thereof Senate concurrent resolution No. 2, relative to Rules of Procedure.

There was no objection offered.

Mr. Beck offered the following (committee) amendment to Senate concurrent resolution No. 2:

Amend Senate concurrent resolution No. 2 by substituting in lieu thereof the following:

"Whereas, At the general election on November 4, 1930, Section 5 of Article III of the Constitution of Texas was amended so as to hereafter read as follows, to wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor in special messages to the Legislature; provided, that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each house shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

"Whereas, Under said amendment it is specifically provided that either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership; therefore, be it

"Resolved by the Senate, by an affirmative vote of four-fifths of its members, the House of Representatives concurring by an affirmative vote of four-fifths of its members, That the order of business is hereby determined to be otherwise, and except as herein expressly provided the rules as printed in the Manual of the Forty-first Legislature, with the amendments thereto shown in the Journals, shall govern the procedure in each house and may be amended as therein provided.

"1. No bill shall be considered or tabled, unless it has been first referred to a committee, and reported therefrom. Bills and resolutions introduced during the first sixty days may be considered by committees and in the House and Senate and disposed

of at any time during the session; provided, however, no bill or joint resolution shall be introduced after the first sixty days of a Regular Session of the Legislature, except by consent of a two-thirds vote of the house in which such bill or joint resolution may be offered; and if so ordered by a two-thirds vote, such bill or joint resolution shall then be referred to a committee for consideration the same as other bills and joint resolutions. It is further provided that after the first sixty days when a member desires to introduce a bill or joint resolution, that he first obtain recognition from the presiding officer for that purpose, and then be allowed five minutes in which to explain the purposes of his bill, the vote then being taken without further debate.

"2. It shall be in order for committees to consider bills at any time during the session, their reports and the consideration by either house being governed, however, in accordance with the rules of the house in which said bill is pending.

"3. When any bill shall have been finally acted upon by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be by the presiding officer thereof referred to an appropriate committee and it shall not be necessary to be voted upon as a prerequisite to its consideration by the receiving branch.

"4. In reckoning the time within which a bill has been introduced, the date of its first introduction in either house shall govern."

Mr. Bond offered the following amendment to the amendment:

Amend Section 1 of substitute for Senate concurrent resolution No. 2 by striking out all of the last sentence of said section and substitute in lieu thereof the following:

"It is further provided, that after the first sixty days, when a member desires to introduce a bill or joint resolution, he shall be allowed five minutes in which to explain the purposes of his bill, the vote then being taken without further debate."

Mr. DeWolfe offered the following substitute for the amendment to the amendment:

Amend substitute for Senate concurrent resolution No. 2 by striking out all of Section 1 after the word "except," in line 7, page 1, and insert in lieu thereof the following:

"By consent of a four-fifths (4/5)

vote of the house in which said bill or joint resolution may be offered; and if so ordered by a four-fifths (4/5) vote, such bill or joint resolution shall then be referred to a committee for consideration, the same as other bills and joint resolutions. It is further provided, that after the first sixty days, when a member desires to introduce a bill or joint resolution, that he first obtain recognition from the presiding officer for that purpose, and then be allowed five minutes in which to explain the purpose of his bill, and any member against the introduction of said bill who gains recognition of the Chair may have five minutes in which to answer, the vote then being taken without further debate."

Signed—DeWolfe, Boyd, Adams of Jasper.

Mr. Bond asked unanimous consent of the House that the amendment offered by himself be incorporated in the amendment offered by Mr. DeWolfe.

There was objection offered.

Question recurring on the amendment by Mr. DeWolfe, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—42.

Adams of Jasper.	Jones of Shelby.
Boyd.	Kayton.
Brooks.	Lasseter.
Bryant.	Lockhart.
Burns of Walker.	McDougald.
Carpenter.	Magee.
Caven.	Mathis.
Claunch.	Metcalfe.
Cunningham.	Nicholson.
Daniel.	O'Quinn.
DeWolfe.	Petsch.
Dodd.	Ramsey.
Donnell.	Ratliff.
Greathouse.	Scott.
Hardy.	Shelton.
Harrison	Sherrill.
of El Paso.	Stevenson.
Hatchitt.	Wagstaff.
Hefley.	Weinert.
Holder.	Wiggs.
Hoskins.	Wyatt.
Howsley.	

Nays—94.

Adams of Harris.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bedford.
Albritton.	Bond.
Alsup.	Bounds.
Anderson.	Bradley.

Brice.	Laird.
Burns	Lee.
of McCulloch.	Lemens.
Coltrin.	Leonard.
Coombes.	Lilley.
Cox of Lamar.	Long.
Cox of Limestone.	McCombs.
Dale.	McGill.
Davis.	McGregor.
Dowell.	Moffett.
Dunlap.	Moore.
Dwyer.	Morse.
Elliott.	Munson.
Engelhard.	Murphy.
Farmer.	Olsen.
Farrar.	Patterson.
Ferguson.	Pope.
Fisher.	Ray.
Forbes.	Richardson.
Ford.	Rogers.
Fuchs.	Sanders.
Giles.	Satterwhite.
Goodman.	Savage.
Graves.	Smith of Bastrop.
Grogan.	Smith of Wood.
Harman.	Sparkman.
Harrison	Stephens.
of Waller.	Steward.
Herzik.	Strong.
Hill.	Tarwater.
Hines.	Terrell
Holland.	of Cherokee.
Holloway.	Towery.
Hubbard.	Van Zandt.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson	Walker.
of Dallam.	Warwick.
Johnson	West of Cameron.
of Dimmit.	West of Coryell.
Johnson of Morris.	Westbrook.
Justiss.	Young.
Kennedy.	

Absent.

Finn.	Rountree.
Gilbert.	Sullivant.
Hanson.	Terrell
Keller.	of Val Verde.
Martin.	

Absent—Excused.

Duvall.	Reader.
Jones of Atascosa.	Turner.
Mehl.	

Question then recurring on the amendment by Mr. Bond to the amendment, it was adopted.

Mr. Graves offered the following amendment to the (committee) amendment:

Amend substitute for Senate concurrent resolution No. 2, page 1, by striking out the next to the last word "of" in line 15 thereof.

The amendment was adopted.

Mr. Johnson of Dimmit offered the following amendment to the (committee) amendment:

Amend substitute for Senate concurrent resolution No. 2 by adding at end of Section 1 the following:

"Provided further, that during the first thirty days of a Regular Session of the Legislature no bills or resolutions shall be disposed of by the House and/or Senate except local bills and emergency bills and resolutions."

Mr. Beck moved to table the amendment by Mr. Johnson of Dimmit.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—89.

Adams of Harris.	Hughes.
Adams of Jasper.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Akin.	Jones of Shelby.
Anderson.	Justiss.
Barron.	Laird.
Beck.	Lasseter.
Bedford.	Leonard.
Bounds.	Lilley.
Brooks.	Lockhart.
Burns of Walker.	Long.
Burns	McCombs.
of McCulloch.	McDougald.
Caven.	McGill.
Claunch.	Magee.
Coombes.	Martin.
Cox of Lamar.	Mathis.
Cox of Limestone.	Moffett.
Cunningham.	Moore.
Dale.	Morse.
Davis.	Munson.
Donnell.	Olsen.
Dunlap.	Patterson.
Dwyer.	Pope.
Elliott.	Ramsey.
Engelhard.	Ratliff.
Farmer.	Richardson.
Ferguson.	Sanders.
Finn.	Satterwhite.
Fisher.	Scott.
Forbes.	Sherrill.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Gilbert.	Steward.
Goodman.	Strong.
Grogan.	Tarwater.
Hanson.	Terrell
Harman.	of Cherokee.
Harrison	Towery.
of El Paso.	Van Zandt.
Harrison	Vaughan.
of Waller.	Walker.
Herzik.	Warwick.
Hines.	Weinert.
Holland.	Wyatt.
Holloway.	

Nays—41.

Albritton.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Boyd.	Kayton.
Bradley.	Kennedy.
Brice.	Lee.
Bryant.	McGregor.
Carpenter.	Metcalfe.
Coltrin.	Murphy.
DeWolfe.	Nicholson.
Dodd.	O'Quinn.
Dowell.	Petsch.
Farrar.	Ray.
Giles.	Savage.
Graves.	Shelton.
Hardy.	Smith of Bastrop.
Hatchitt.	Stevenson.
Hefley.	Wagstaff.
Hill.	West of Coryell.
Hoskins.	Westbrook.
Howsley.	Wiggs.
Hubbard.	

Absent.

Bond.	Stephens.
Daniel.	Sullivant.
Greathouse.	Terrell
Holder.	of Val Verde.
Keller.	Veatch.
Lemens.	West of Cameron.
Rogers.	Young.
Rountree.	

Absent—Excused.

Duvall.	Reader.
Jones of Atascosa.	Turner.
Mehl.	

Mr. Shelton offered the following amendment to the (committee) amendment:

Amend substitute for Senate concurrent resolution No. 2, Section 1, page 2, line 1, by striking out the words "two-thirds vote" and substitute in lieu thereof the words "vote of two-thirds of the membership."

Mr. McCombs moved the previous question on the pending amendments and the main question was ordered.

Question first recurring on the amendment by Mr. Shelton, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—24.

Adamson.	Greathouse.
Boyd.	Hardy.
Caven.	Harman.
DeWolfe.	Hatchitt.
Dodd.	Hefley.
Elliott.	Hill.
Fuchs.	Hoskins.

Jones of Shelby.
Kayton.
Lockhart.
O'Quinn.
Petsch.

Ratliff.
Shelton.
Sparkman.
Stevenson.
Wagstaff.

Nays—108.

Adams of Harris.	Johnson of Morris.
Adams of Jasper.	Justiss.
Akin.	Kennedy.
Albritton.	Laird.
Alsup.	Lasseter.
Anderson.	Lee.
Baker.	Lemens.
Barron.	Leonard.
Beck.	Lilley.
Bedford.	Long.
Bounds.	McCombs.
Bradley.	McDougald.
Brice.	McGill.
Brooks.	McGregor.
Bryant.	Magee.
Burns	Martin.
of McCulloch.	Metcalfe.
Burns of Walker.	Minor.
Claunch.	Moffett.
Coombes.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Dale.	Nicholson.
Daniel.	Olsen.
Davis.	Patterson.
Donnell.	Pope.
Dowell.	Ramsey.
Dunlap.	Ray.
Duvall.	Richardson.
Dwyer.	Rogers.
Engelhard.	Rountree.
Farmer.	Sanders.
Farrar.	Satterwhite.
Ferguson.	Savage.
Fisher.	Scott.
Forbes.	Sherrill.
Ford.	Smith of Bastrop.
Gilbert.	Smith of Wood.
Giles.	Stephens.
Graves.	Steward.
Grogan.	Strong.
Hanson.	Tarwater.
Harrison	Terrell
of El Paso.	of Cherokee.
Harrison	Towery.
of Waller.	Van Zandt.
Herzik.	Vaughan.
Hines.	Veatch.
Holland.	Walker.
Holloway.	Warwick.
Howsley.	West of Cameron.
Hughes.	West of Coryell.
Jackson.	Westbrook.
Johnson	Wyatt.
of Dallam.	Young.
Johnson	
of Dimmit.	

Present—Not Voting.

Weinert.

Absent.

Adkins.	Keller.
Bond.	Mathis.
Carpenter.	Sullivant.
Finn.	Terrell
Goodman.	of Val Verde.
Holder.	Wiggs.
Hubbard.	

Absent—Excused.

Jones of Atascosa.	Reader.
Mehl.	Turner.

Question then recurring on the (committee) amendment, as amended, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—123.

Adams of Harris.	Fuchs.
Adams of Jasper.	Gilbert.
Adamson.	Giles.
Adkins.	Goodman.
Akin.	Graves.
Albritton.	Grogan.
Alsup.	Hanson.
Anderson.	Harman.
Barron.	Harrison
Beck.	of El Paso.
Bedford.	Harrison
Bond.	of Waller.
Bounds.	Hefley.
Boyd.	Herzik.
Bradley.	Hill.
Brice.	Hines.
Brooks.	Holder.
Bryant.	Holland.
Burns	Holloway.
of McCulloch.	Howsley.
Burns of Walker.	Hughes.
Carpenter.	Jackson.
Caven.	Johnson
Claunch.	of Dallam.
Coombes.	Johnson
Cox of Lamar.	of Dimmit.
Cox of Limestone.	Johnson of Morris.
Dale.	Jones of Shelby.
Daniel.	Justiss.
Davis.	Kayton.
Donnell.	Kennedy.
Dowell.	Laird.
Dunlap.	Lasseter.
Elliott.	Lee.
Engelhard.	Lemens.
Farmer.	Leonard.
Farrar.	Lilley.
Ferguson.	Lockhart.
Finn.	Long.
Fisher.	McCombs.
Forbes.	McDougald.
Ford.	McGill.

McGregor.	Sherrill.
Magee.	Smith of Bastrop.
Martin.	Smith of Wood.
Mathis.	Sparkman.
Metcalf.	Stephens.
Minor.	Stevenson.
Moffett.	Steward.
Moore.	Strong.
Morse.	Tarwater.
Munson.	Terrell
Murphy.	of Cherokee.
Olsen.	Towery.
O'Quinn.	Vaughan.
Patterson.	Veatch.
Petsch.	Walker.
Pope.	Warwick.
Ramsey.	Weinert.
Richardson.	West of Cameron.
Rountree.	West of Coryell.
Sanders.	Westbrook.
Satterwhite.	Wyatt.
Savage.	Young.
Scott.	

Nays—14.

Baker.	Hoskins.
Cunningham.	Nicholson.
DeWolfe.	Ratliff.
Dodd.	Ray.
Greathouse.	Shelton.
Hardy.	Van Zandt.
Hatchitt.	Wagstaff.

Present—Not Voting.

Duvall.

Absent.

Dwyer.	Sullivant.
Hubbard.	Terrell
Keller.	of Val Verde.
Rogers.	Wiggs.

Absent—Excused.

Jones of Atascosa.	Reader.
Mehl.	Turner.

Question then recurring on Senate concurrent resolution No. 2 as amended, it was adopted by the following vote:

Yeas—121.

Adams of Harris.	Brice.
Adams of Jasper.	Brooks.
Adamson.	Bryant.
Adkins.	Burns
Akin.	of McCulloch.
Albritton.	Burns of Walker.
Alsup.	Caven.
Anderson.	Claunch.
Beck.	Coltrin.
Bedford.	Coombes.
Bond.	Cox of Lamar.
Bounds.	Cox of Limestone.
Bradley.	Cunningham.

Dale.	Lockhart.
Daniel.	Long.
Davis.	McCombs.
Donnell.	McDougald.
Dowell.	McGill.
Dunlap.	McGregor.
Duvall.	Magee.
Elliott.	Martin.
Engelhard.	Mathis.
Farmer.	Metcalf.
Farrar.	Moffett.
Ferguson.	Moore.
Finn.	Morse.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Olsen.
Fuchs.	Patterson.
Gilbert.	Petsch.
Giles.	Pope.
Goodman.	Ramsey.
Graves.	Ratliff.
Grogan.	Richardson.
Hanson.	Rogers.
Harman.	Rountree.
Harrison	Sanders.
of El Paso.	Satterwhite.
Harrison	Savage.
of Waller.	Shelton.
Herzik.	Sherrill.
Hill.	Smith of Bastrop.
Hines.	Smith of Wood.
Holder.	Sparkman.
Holland.	Stephens.
Holloway.	Stevenson.
Howsley.	Steward.
Hughes.	Strong.
Jackson.	Tarwater.
Johnson	Terrell
of Dallam.	of Cherokee.
Johnson	Towery.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Shelby.	Walker.
Justiss.	Warwick.
Kennedy.	Weinert.
Laird.	West of Cameron.
Lasseter.	West of Coryell.
Lee.	Westbrook.
Lemens.	Wyatt.
Leonard.	Young.
Lilley.	

Nays—17.

Baker.	Hoskins.
Barron.	Kayton.
Boyd.	Nicholson.
DeWolfe.	O'Quinn.
Dodd.	Ray.
Greathouse.	Scott.
Hardy.	Van Zandt.
Hatchitt.	Wagstaff.
Hefley.	

Absent.

Carpenter.	Hubbard.
Dwyer.	Keller.

Sullivant. Wiggs.
Terrell
 of Val Verde.

Absent—Excused.

Jones of Atascosa. Reader.
Mehl. Turner.

RELATIVE TO ORDER OF PRO- CEDURE IN THE HOUSE.

Mr. Beck offered the following reso-
lution:

Whereas, At the general election on November 4, 1930, Section 5 of Article III of the Constitution of Texas was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such times as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each house shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further, that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, Under said amendment it is specifically provided that either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership; therefore, be it

Resolved by the House of Representatives, by an affirmative vote of four-fifths of its members, That the order of business is hereby determined to be otherwise, and except as herein expressly provided the rules as printed in the Manual of the Forty-first Legislature, with the amendments thereto shown in the Journal, shall govern the procedure in the House and may be amended as therein provided.

1. No bill shall be considered or tabled, unless it has been first referred to a committee, and reported therefrom. Bills and resolutions introduced during the first sixty days may be considered by committees and in the House and disposed of at any time during the session; provided, however, no bill or joint resolution shall be introduced after the first sixty days of a Regular Session of the Legislature, except by consent of a two-thirds vote of the House; and if so ordered by a two-thirds vote, such bill or joint resolution shall then be referred to a committee for consideration the same as other bills and joint resolutions. It is further provided that after the first sixty days when a member desires to introduce a bill or joint resolution, he shall be allowed five minutes in which to explain the purposes of his bill, the vote then being taken without further debate.

The resolution was read second time and was adopted by the following vote:

Yeas—133.

Adams of Harris.	Dwyer.
Adams of Jasper.	Elliott.
Adamson.	Engelhard.
Adkins.	Farmer.
Akin.	Farrar.
Albritton.	Ferguson.
Alsup.	Fisher.
Anderson.	Forbes.
Baker.	Ford.
Barron.	Gilbert.
Beck.	Giles.
Bedford.	Graves.
Bond.	Greathouse.
Bounds.	Grogan.
Boyd.	Hanson.
Bradley.	Hardy.
Brice.	Harman.
Brooks.	Harrison
Bryant.	of El Paso.
Burns	Harrison
of McCulloch.	of Waller.
Burns of Walker.	Hatchitt.
Caven.	Herzik.
Claunch.	Hill.
Coltrin.	Hines.
Coombes.	Holder.
Cox of Lamar.	Holland.
Cox of Limestone.	Holloway.
Cunningham.	Hoskins.
Dale.	Howsley.
Daniel.	Hughes.
Davis.	Jackson.
Dodd.	Johnson
Donnell.	of Dallam.
Dowell.	Johnson of Morris.
Dunlap.	Jones of Shelby.
Duvall.	Justiss.

Kayton.	Rountree.
Kennedy.	Sanders.
Laird.	Satterwhite.
Lasseter.	Savage.
Lee.	Scott.
Lemens.	Shelton.
Leonard.	Sherrill.
Lilley.	Smith of Bastrop.
Lockhart.	Smith of Wood.
Long.	Sparkman.
McCombs.	Stephens.
McDougald.	Stevenson.
McGill.	Steward.
McGregor.	Strong.
Magee.	Tarwater.
Martin.	Terrell
Mathis.	of Cherokee.
Metcalf.	Towery.
Moffett.	Van Zandt.
Moore.	Vaughan.
Morse.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Olsen.	Warwick.
O'Quinn.	Weinert.
Patterson.	West of Cameron.
Petsch.	West of Coryell.
Pope.	Westbrook.
Ramsey.	Wiggs.
Ratliff.	Wyatt.
Richardson.	Young.
Rogers.	

Absent.

Carpenter.	Johnson
DeWolfe.	of Dimmit.
Finn.	Keller.
Fuchs.	Nicholson.
Goodman.	Ray.
Hefley.	Sullivant.
Hubbard.	Terrell
	of Val Verde.

Absent—Excused. X

Jones of Atascosa.	Reader.
Mehl.	Turner.

STANDING COMMITTEES APPOINTED.

The Speaker announced the appointment of the following standing committees:

Committee on Agriculture.

Messrs. Westbrook, Chairman; Albritton, Vice-Chairman; Alsup, Baker, Brice, Engelhard, Fuchs, Giles, Hanson, Herzik, Hoskins, Rogers, Leonard, Olsen, Ray, Lee, Sparkman, Tarwater, Terrell of Cherokee, Veatch, and West of Coryell.

Committee on Appropriations.

Messrs. Sanders, Chairman; McGill, Vice-Chairman; Claunch, Dunlap,

Finn, Ford, Gilbert, Graves, Holder, Hubbard, Kayton, Lemens, Metcalfe, Mrs. Moore, Murphy, Patterson, Ramsey, Mrs. Rountree, Satterwhite, Warwick, and Young.

Committee on Banks and Banking.

Messrs. Finn, Chairman; Hefley, Vice-Chairman; Bond, Bounds, Dale, Dowell, Dwyer, Farmer, Fisher, Harrison of El Paso, Jackson, Jones of Shelby, Justiss, Lockhart, Moffett, Pope, Turner, Veatch, Walker, Warwick, and Westbrook.

Committee on Claims and Accounts.

Messrs. Brooks, Chairman; Carpenter, Vice-Chairman; Adamson, Cox of Lamar, Daniel, DeWolfe, Dunlap, Harrison of Waller, Justiss, Ray, and Van Zandt.

Committee on Commerce and Manufactures.

Messrs. Stephens, Chairman; Long, Vice-Chairman; Adams of Harris, Akin, Bedford, Dwyer, Elliott, Great-house, Lilley, Savage, and Sparkman.

Committee on Common Carriers.

Messrs. Keller, Chairman; Patterson, Vice-Chairman; Adams of Harris, Albritton, Barron, Bryant, Dale, Elliott, Goodman, Holloway, Laird, Lasseter, Nicholson, O'Quinn, Pope, Reader, Sherrill, Smith of Bastrop, Turner, Wiggs, and Wyatt.

Committee on Congressional Districts.

Messrs. Metcalfe, Chairman; Johnson of Dallam, Vice-Chairman; Barron, Burns of McCulloch, Cox of Limestone, Cunningham, Dale, Farrar, Giles, Hardy, Johnson of Dimmit, Lockhart, McGill, Mathis, Ramsey, Scott, Sherrill, Murphy, Tarwater, West of Cameron, and Young.

Committee on Constitutional Amendments.

Messrs. Hubbard, Chairman; Anderson, Vice-Chairman; Van Zandt, Beck, Caven, Daniel, Donnell, Engelhard, Ford, Holland, Johnson of Dallam, Johnson of Morris, Kennedy, Lee, Morse, Munson, Savage, Stephens, Terrell of Cherokee, Weinert, and Wyatt.

Committee on Conservation and Reclamation.

Messrs. Nicholson, Chairman; West of Cameron, Vice-Chairman; Boyd,

Carpenter, Coltrin, Cunningham, Ferguson, Fisher, Fuchs, Harman, Harrison of Waller, Holland, Lilley, Leonard, McDougald, Magee, Morse, Munson, O'Quinn, Richardson, and Wagstaff.

Committee on Contingent Expense.

Messrs. Warwick, Chairman; Ray, Vice-Chairman; Adamson, Harrison of Waller, and Wyatt.

Committee on Counties.

Messrs. Jones of Atascosa, Chairman; Lee, Vice-Chairman; Carpenter, Dowell, Herzik, Johnson of Morris, Olsen, Ray, Richardson, Smith of Wood, and Weinert.

Committee on Criminal Jurisprudence.

Messrs. Petsch, Chairman; Martin, Vice-Chairman; Burns of Walker, Caven, DeWolfe, Ferguson, Forbes, Graves, Hatchitt, Hines, Holland, Jones of Atascosa, Keller, Lemens, Long, Mathis, Munson, Ratliff, Stevenson, Sullivant, and Walker.

Committee on State Eleemosynary and Reformatory Institutions.

Mrs. Moore, Chairman; Messrs. Giles, Vice-Chairman; Adkins, Alsup, Bond, Bounds, Cox of Lamar, Donnell, Elliott, Ferguson, Fisher, Hines, Mrs. Hughes, Justiss, Mathis, Mehl, Reader, Stephens, Mrs. Strong, and Messrs. Sullivant and Wiggs.

Committee on Education.

Messrs. Holder, Chairman; West of Coryell, Vice-Chairman; Adkins, Akin, Alsup, Bradley, Brooks, Claunch, Cox of Lamar, Cox of Limestone, Dodd, Farrar, Hill, Mrs. Hughes, Johnson of Dallam, Magee, McGregor, Mrs. Moore, Mrs. Rountree, Smith of Wood, and Mrs. Strong.

Committee on Engrossed Bills.

Messrs. Justiss, Chairman; Richardson, Savage, Shelton, and Mrs. Strong.

Committee on Enrolled Bills.

Messrs. Cox of Lamar, Chairman; Bounds, Vice-Chairman; Bond, Engelhard and Daniel.

Committee on Examination of Comptroller's and Treasurer's Accounts.

Messrs. Farrar, Chairman; Brice, Vice-Chairman; Albritton, Bedford, Bounds, Brooks, Coombes, Farmer, Goodman, Kennedy, and Ramsey.

Committee on Federal Relations.

Messrs. Kennedy, Chairman; Wiggs, Vice-Chairman; Bryant, Hill, Jackson, Magee, Mehl, Richardson, Rogers, Terrell of Val Verde, and West of Coryell.

Committee on Game and Fisheries.

Messrs. Gilbert, Chairman; Boyd, Vice-Chairman; Adams of Jasper, Brice, Brooks, Burns of Walker, Coltrin, Fuchs, Hines, Holloway, Hoskins, Duvall, Lasseter, McGregor, Petsch, Sanders, Terrell of Cherokee, Towery, Turner, Hefley, and West of Cameron.

Committee on Highways and Motor Traffic.

Messrs. Beck, Chairman; Hubbard, Vice-Chairman; Akin, Caven, Coombes, Davis, Dowell, Engelhard, Grogan, Howsley, Johnson of Morris, Kayton, Lilley, Murphy, Petsch, Rogers, Scott, Smith of Wood, Steward, Towery, and Wagstaff.

Committee on Insurance.

Messrs. McCombs, Chairman; Lemens, Vice-Chairman; Adams of Harris, Anderson, Bedford, Boyd, Coltrin, Cox of Limestone, Dowell, Ford, Greathouse, Grogan, Hatchitt, Harrison of El Paso, Holloway, Hoskins, Jones of Shelby, McGill, Martin, Terrell of Val Verde, and Walker.

Committee on Judiciary.

Messrs. Johnson of Dimmit, Chairman; DeWolfe, Vice-Chairman; Adams of Jasper, Bond, Burns of McCulloch, Cunningham, Adams of Harris, Goodman, Hardy, Harrison of El Paso, Hill, Mrs. Hughes, Lockhart, McCombs, Graves, Savage, Van Zandt, Vaughan, Bedford, West of Coryell, and West of Cameron.

Committee on Judicial Districts.

Messrs. Van Zandt, Chairman; Hines, Vice-Chairman; Burns of McCulloch, Coombes, Davis, Goodman, Jones of Atascosa, Leonard, Ramsey, Scott, and Steward.

Committee on Labor.

Messrs. Bradley, Chairman; Mehl, Vice-Chairman; Adamson, Anderson, Barron, Bryant, Davis, Dodd, Farmer, Forbes, Greathouse, Hatchitt, Herzik, Mrs. Hughes, Jones of Atascosa, Laird, McDougald, Nicholson, Olsen, O'Quinn, and Smith of Bastrop.

Committee on Liquor Traffic.

Messrs. Coltrin, Chairman; Forbes, Vice-Chairman; Akin, Alsup, Baker, Bryant, Burns of Walker, Dodd, Donnell, Hill, Hanson, Holloway, Jones of Shelby, Laird, Richardson, Sparkman, Mrs. Strong, Towery, Walker, Wiggs, and Wyatt.

Committee on Live Stock and Stock Raising.

Messrs. Stevenson, Chairman; Olsen, Vice-Chairman; Baker, Burns of McCulloch, Dunlap, Dwyer, Fuchs, Jones of Atascosa, Johnson of Dimmit, Laird, Lasseter, Moffett, Patterson, Ratliff, Johnson of Dallam, Satterwhite, Shelton, Stephens, Sullivant, Tarwater, and Terrell of Val Verde.

Committee on Military Affairs.

Messrs. Kayton, Chairman; Fuchs, Vice-Chairman; Coombes, Davis, Greathouse, Hatchitt, Hardy, Lemens, Martin, Petsch, and Westbrook.

Committee on Municipal and Private Corporations.

Messrs. Bond, Chairman; Adkins, Vice-Chairman; Akin, Baker, Carpenter, Cunningham, Dale, Farrar, Goodman, Grogan, Hoskins, Jackson, Lockhart, McCombs, Mathis, Pope, Reader, Sullivant, Terrell of Cherokee, Vaughan, and Warwick.

Committee on Oil, Gas and Mining.

Messrs. Hardy, Chairman; Harrison of El Paso, Vice-Chairman; Adams of Harris, Anderson, Caven, Dale, Farrar, Hanson, Harman, Harrison of Waller, Hill, Howsley, Lasseter, Long, McDougald, Metcalfe, Munson, Sherrill, Steward, Towery, and Walker.

Committee on Penitentiaries.

Messrs. Turner, Chairman; Satterwhite, Vice-Chairman; Adams of Jasper, Adamson, Brice, Burns of Walker, Farmer, Ford, Gilbert, Giles, Graves, Grogan, Hefley, Holland, Jackson, Jones of Shelby, Keller, Lilley, Wyatt, Sparkman, and Steward.

Committee on Public Health.

Messrs. Reader, Chairman; Sherrill, Vice-Chairman; Adams of Jasper, Bounds, Bradley, Coltrin, Coombes, Dodd, Donnell, Duvall, Ferguson, Finn, Herzik, Jones of Shelby, McDougald, Martin, Mehl, Mrs. Moore, Shelton, Mrs. Strong, and Terrell of Val Verde.

Committee on Public Lands and Buildings.

Messrs. McGill, Chairman; Terrell of Val Verde, Vice-Chairman; Anderson, Ford, Greathouse, Harman, Hefley, Howsley, Hubbard, McGregor, Martin, Metcalfe, Morse, Patterson, Pope, Ramsey, Ratliff, Stephens, Stevenson, Veatch, and Wagstaff.

Committee on Public Printing.

Messrs. Tarwater, Chairman; Magee, Vice-Chairman; Beck, Forbes, Keller, Leonard, O'Quinn, Ratliff, Smith of Bastrop, Smith of Wood, and Sullivant.

Committee on Privileges, Suffrage and Elections.

Messrs. Duvall, Chairman; Veatch, Vice-Chairman; Adamson, Albritton, Bedford, Bradley, Bryant, Claunch, Dunlap, Farmer, Finn, Hatchitt, Hanson, Howsley, Lee, Long, Mrs. Rountree, Satterwhite, Shelton, Smith of Bastrop, and Vaughan.

Committee on Revenue and Taxation.

Messrs. Young, Chairman; Harman, Vice-Chairman; Barron, Claunch, Daniel, DeWolfe, Donnell, Duvall, Elliott, Gilbert, Harrison of El Paso, Holder, Kayton, Moffett, Murphy, Nicholson, Sanders, Satterwhite, Stevenson, Tarwater, and Weinert.

Committee on Rules.

Messrs. Graves, Chairman; Savage, Vice-Chairman; McGregor, Morse, and Young.

Committee on School Districts.

Messrs. Cox of Limestone, Chairman; Shelton, Vice-Chairman; Adams of Jasper, Boyd, Fisher, Herzik, Johnson of Morris, Mehl, Rogers, Mrs. Rountree, and Scott.

Committee on State Affairs.

Messrs. Morse, Chairman; Murphy, Vice-Chairman; Adkins, Beck, Dwyer, Engelhard, Ferguson, Kennedy, Lee, Lemens, McCombs, McGill, McGregor,

Moffett, Stevenson, Van Zandt, Vaughan, Wagstaff, Weinert, West of Cameron, and Westbrook.

BILL RE-REFERRED.

On motion of Mr. McGill, House bill No. 32 was withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Highways and Motor Traffic.

RELATIVE TO GARRETT COTTON ACREAGE REDUCTION PLAN.

Mr. Pope offered the following resolution:

H. C. R. No. 9, Relative to endorsing certain plan of cotton reduction association.

That the carry-over cotton crop in bales from 1929 was approximately 4,500,000 bales and from 1930 at approximately 9,000,000 bales; that the present average grade of cotton sells at eight cents per pound;

That the present price of cotton is too low to enable farmers to make their farms self-sustaining and the low price of cotton will continue as long as the production and carry-over of cotton is as great as in the past two years;

That some safe, sound and lawful plan for the reduction of cotton acreage is necessary;

That the Southern Cotton Reduction Association is now actively engaged in having adopted by the banks of the cotton-growing States what is known as the Garrett Cotton Acreage Reduction Plan, by pledges on the part of such banks not to finance or assist in financing any cotton farmer who will not agree to reduce his cotton acreage for the years 1931 to 1935 at least twenty-five per cent;

That the pledge of such banks, as now being made, is as follows:

Pledge.

"1. through its officers, hereby agrees not to loan money to any land owner, farmer or tenant to make a cotton crop during the year 1931, unless he agrees to plant 25 per cent less acreage in cotton than he planted in 1930, and further agrees not to loan any land owner or tenant any money during the years 1931, 1932, 1933, 1934 and 1935, if they increase their cotton acreage any year during this period above their 1931 acreage planted in cotton, except where they work more land than in 1930, then

the percentage of acreage planted shall be on the same basis.

"2. We further agree that if a farmer agrees to cut his acreage, as requested, and fails to do so, he is not to receive any credit from us during the years 1931 to 1935, inclusive, and we further agree that we will not extend credit to any customers of any other bank where credit has been refused them on account of refusing to cut their cotton acreage or failing to cut their cotton acreage after they agreed to do so.

"3. We further agree that where farmers do not have to borrow money to farm in 1931 and do not voluntarily reduce their cotton acreage 25 per cent, they will not be extended any credit by this bank for a period of five years, from 1931 to 1935, inclusive. All customers of this bank who refuse or fail to reduce their cotton acreage will be reported to all the banks in this county and to the Southern Cotton Reduction Association at Corpus Christi, Texas.

"4. We further agree to have each and every farmer that we make a loan to sign a written statement, giving the number of acres they cultivated in 1930 and the number of acres they planted in cotton in 1930.

"5. We further agree that we will have each and every farmer to whom we loan money sign a statement agreeing to plant 25 per cent less acreage in cotton in 1931, 1932, 1933, 1934 and 1935 than they planted in 1930, unless they are working more acreage; then the percentage of reduction shall be on the same basis.

"6. It is understood, however, that no land owner or tenant will be required to reduce his cotton acreage less than 50 per cent of the land that he owns, that is in cultivation, or less than 50 per cent of the land that may be rented that is in cultivation.

"7. We agree to assist the farmers who reduce their cotton acreage 25 per cent in the cultivation of feed crops of all kinds and such other crops as can be profitably grown, and help them to buy milch cows, hogs and cattle for feeding purposes, when it is practical to do so and is in keeping with good banking principles.

"8. If at any time during the five-year period of the Garrett Plan the Southern Cotton Reduction Association decides conditions have changed to where it will be profitable and best for the South to increase the cotton acreage, they will notify each and every banker in the cotton-growing

States as to the percentage of increase to be allowed; however, the consensus of opinion at this time is that the plan should be rigidly enforced for the full five-year period.

"9. This pledge shall be binding unless the executive committee or the president of the Southern Cotton Reduction Association of Corpus Christi, Texas, notify us that an insufficient number of banks throughout the cotton States have signed pledges to make the Garrett Plan effective. Unless we are notified in writing that pledges that have been signed are cancelled, we will consider this pledge in effect.

"This pledge is to cover a five-year period, from 1931 to 1935, inclusive.

"Witness our hands this the day of, A. D. 1930.

..... Bank.

By
"Title."

Now, therefore, in order to encourage the speedy adoption of such pledges by the banks of this and the other cotton-growing States, be it

Resolved by the House of Representatives, the Senate concurring, That the plan as outlined by said Southern Cotton Reduction Association set forth in said pledge be endorsed; that a copy of this resolution be furnished the said Cotton Reduction Association, and a copy be forwarded by the Chief Clerk of the House of Representatives to the president of each State Bankers' Association and to the Legislatures of the other cotton-growing States, with the earnest request for its immediate adoption.

The resolution was read second time.

Mr. Farrar moved that the resolution be referred to the Committee on Agriculture.

On motion of Mr. Pope, by unanimous consent, the resolution was referred to the Committee on Agriculture.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 1, to the Committee on State Affairs.

RECESS.

On motion of Mr. Holder the House, at 6:20 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

FIFTH DAY.

(Continued.)

(Thursday, January 22, 1931.)

The House met at 10 o'clock a. m., and was called to order by Speaker Minor.

PROVIDING FOR NEW MAPS OF THE HOUSE.

Mr. Hardy offered the following resolution:

Whereas, J. H. Walker, Land Commissioner of the State of Texas, has heretofore had drawn and printed for the use of the members of the House of Representatives a map or plat showing the seating arrangement of the House of Representatives of the State of Texas, with the number of the seats and the name of the Representative occupying such seat; and

Whereas, Said plats have been drawn from the viewpoint at the Speaker's desk; and

Whereas, Said maps or plats are exactly backwards from the viewpoint of the members of the House; therefore, be it

Resolved by the House of Representatives, That the Sergeant-at-Arms of the House respectfully request of J. H. Walker, Land Commissioner of the State of Texas, that he print for us a sufficient number of plats showing the seating arrangement of the House, together with the numbers of the seats and the name of the Representative occupying such seat, from the viewpoint of the members of the House.

Signed—Hardy, Wagstaff, Metcalfe, Pope, Murphy, Nicholson, McCombs, Morse, Patterson.

The resolution was read second time and was adopted.

TO PROVIDE FOR PURCHASE OF NEW WASTE PAPER BASKETS.

Mr. Morse offered the following resolution:

Whereas, The waste paper baskets now in the Hall of Representatives have outlived their usefulness; now, therefore, be it

Resolved, That the Committee on Contingent Expense be authorized to purchase a sufficient number of new waste paper baskets to supply the House of Representatives.

Signed—Morse, McCombs, Hardy.

The resolution was read second time and was lost.